

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

STEPHEN ROY GOODMAN,

Defendant.

CR 24–10–M–DLC

CR 17–19–M–DLC

AMENDED ORDER

Before the Court is United States Magistrate Judge Kathleen L. DeSoto’s Findings & Recommendations Regarding Revocation of Supervised Release. (CR 24–10–M–DLC Doc. 43, CR 17–19–M–DLC Doc. 108.) Because neither party objected, they are not entitled to *de novo* review. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge DeSoto found, based on Stephen Roy Goodman’s admissions at the hearing, that he violated three conditions of supervised release: (1) the special

condition that Goodman participate in substance abuse testing; (2) the mandatory condition that Goodman shall refrain from any unlawful use of a controlled substance; and (3) the mandatory condition that Goodman shall not commit another federal, state, or local crime. (CR 24–10–M–DLC Doc. 43 at 2–3, CR 17–19–M–DLC Doc. 108 at 2–3.)

Judge DeSoto recommends that this Court revoke Goodman’s supervised release and sentence him to a custodial sentence of 24 months, followed by 4 months of supervised release as to CR–24–10–M–DLC and a custodial sentence of 18 months, followed by 42 months of supervised release as to CR 17–19–M–DLC; to run concurrent with one another and with any sentence imposed in DC–32–2024–0000614–IN. (*Id.*) Judge DeSoto further recommends that Goodman be placed at Federal Correctional Institution, Williamsburg, and that he be considered for the Federal Bureau of Prison’s Residential Drug Abuse Program. (*Id.*) The Court finds no clear error in Judge DeSoto’s Findings and Recommendations and adopts them in full.

Accordingly, IT IS ORDERED that Judge DeSoto’s Findings and (CR 24–10–M–DLC Doc. 43, CR 17–19–M–DLC Doc. 108) are ADOPTED in full.

Goodman shall be sentenced in conformity with Judge DeSoto’s recommendation in the judgment filed concurrently with this Order.

DATED this 22nd day of January, 2025.

A handwritten signature in blue ink, reading "Dana L. Christensen". The signature is written in a cursive style with a large initial "D".

Dana L. Christensen, District Judge
United States District Court